

A.D. 1.10, Investigations

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1. Policy. The Department shall review and investigate significant incidents and allegations of wrongful acts as appropriate.
2. Authority and Reference.
 - A. Connecticut General Statutes, Section 18-81.
 - B. American Correctional Association, Standards for Adult Correctional Institutions, Third Edition, January 1990, Standard 3-4219.
 - C. American Correctional Association, Standards for Adult Local Detention Facilities, Third Edition, March 1991, Standard 3-ALDF-3E-09.
 - D. Administrative Directives 1.6, Monthly and Annual Reports; 2.1, Equal Employment Opportunity and Affirmative Action; 2.2, Sexual Harassment; 2.6, Employee Discipline; 2.17 Employee Conduct; 6.6 Reporting of Incidents; and 6.9, Control of Contraband and Physical Evidence.
3. Definitions. For the purposes stated herein, the following definitions apply:
 - A. Administrative Investigation. An official fact finding review conducted within and by personnel of the Department of Correction.
 - B. Affirmative Action Investigation. An Administrative Investigation conducted by the Affirmative Action office of the Department.
 - C. Criminal Investigation. An official inquiry conducted by an external law enforcement agency.
 - D. External Investigation. An official inquiry conducted by an authorized agent of a governmental entity with oversight over all, or any part of, government operations.
 - E. Initial Inquiry. An investigation into an alleged incident in which the findings may be sufficient to take disciplinary action or result in a more formal investigation.
 - F. Investigator. A staff member assigned to conduct an Administrative Investigation.
 - G. Security Division Investigation. A Department level Administrative Investigation authorized by the Commissioner or designee and conducted by personnel assigned to the Security Division.
4. General Principles.
 - A. Resolution. A supervisor, Unit Administrator or higher authority may pursue resolution of any matter, to include employee discipline, in accordance with Administrative Directive 2.6, Employee Discipline.
 - B. Cooperation Required. The Department and its employees shall fully cooperate with any External Investigation, Criminal Investigation or Administrative Investigation in accordance with Administrative Directive 2.17, Employee Conduct. Failure to cooperate fully may subject an employee to disciplinary action, up to and including dismissal.
 - C. Taping of Interview. An Administrative Investigation may be tape

recorded. In the event an interview is taped, the employee shall be given a complete and unaltered copy of the taped interview. An interview tape shall be maintained as part of the file but shall not be transcribed unless required during disposition.

- D. Investigation Form. The Administrative Investigation Form, CN 11001, Attachment A, shall be signed and dated by both the investigator and interviewee during an Administrative Investigation or Security Division Investigation.

5. Administrative Investigation.

- A. File. Upon initiation of an Administrative Investigation by a Unit Administrator or higher authority, a case file shall be created and a unique number shall be assigned to the case. An Administrative Investigation shall be prefixed by two (2) or three (3) letters which uniquely identifies the investigating body. An initial inquiry shall be prefixed by the letters "II" and a Security Division Investigation shall be prefixed by the letters "SD." The letter prefixed shall be followed by a dash (-), the last two (2) digits of the calendar year, a dash (-), and a sequential uninterrupted numerical listing of each investigation conducted by the Security Division, Division, or Unit.
- B. Authorization. An Investigator assigned to conduct an Administrative Investigation may gather relevant information as necessary to conduct an investigation. No person shall be assigned to conduct an Administrative Investigation who is involved in or witness to the matter under investigation. The Investigator shall not recommend a specific level of discipline. Each relevant witness shall be interviewed, and tape recorded as appropriate.
- C. Employee Rights and Responsibilities. Any person interviewed during the course of an investigation shall be advised of the following:
 - 1. The general nature of the investigation;
 - 2. If the individual is the subject of the investigation or if the individual is thought to possess information relevant to the investigation;
 - 3. The right to union or legal representation as appropriate and in accordance with the prevailing union contract or state personnel procedures; and
 - 4. The employee's rights and responsibilities as enumerated in Employee's Rights and Responsibilities During an Administrative Investigation Form, CN 11001, Attachment A.
- D. Reporting of Incidents. An employee involved in, or witness to, an incident shall be required to complete and sign an Incident Report in accordance with Administrative Directive 6.6, Reporting of Incidents. An employee may be required to complete and sign a written statement as part of any investigation.
- E. Interview Summary. Upon completion of an interview a written summarization of the interview shall be drafted by the Investigator. The first and last word of each page of the completed written summary shall be initialed and dated by the person being interviewed. The interviewer shall sign and date the summary. When a tape recorder is not used, a second investigator

and/or managerial witness to the interview shall also sign the statement.

- F. Supporting Documentation. Incident Reports, evidence, pictures and any other relevant documentation shall be secured and standard rules for the chain of evidence shall be followed as appropriate, in accordance with Administrative Directive 6.9, Contraband and Criminal Physical Evidence.
- G. Report Format. An Administrative or Security Division Investigation shall be presented in the format prescribed in Attachment B, Standard Investigation File Format.
- H. Criminal Referral. When a criminal activity is suspected or discovered during an Administrative or Security Division Investigation the matter shall then be referred to the Connecticut State Police (CSP) through the appropriate chain of command.
- I. Closure. An Administrative Investigation shall be closed only when accepted by the Unit Administrator or higher authority who approved/directed the investigation. A copy of an Administrative Investigation shall be forwarded to the appropriate individual who authorized the investigation through the chain of command. The original report shall be maintained by the person who authorized the investigation, except that completed Security Division Investigations shall be filed in that office.
- J. Employee Discipline. Discipline resulting from an investigation shall be conducted in accordance with Administrative Directive 2.6, Employee Discipline.
- K. Recommendations. When appropriate, an Administrative Investigation shall include recommendations for system improvement based upon the conclusions of such investigation.
- L. Security and Confidentiality. Each Administrative Investigation shall be maintained in a secure and confidential manner. An employee who has been the subject of an investigation shall be notified of the outcome by the immediate supervisor. Only information pertaining to the involved employee shall be released to the employee.

A request for access to a Security Division investigation, to include a request made in accordance with the Freedom of Information Act, shall be forwarded to the Deputy Commissioner of Field and Security Operations who may consult with the Office of the Attorney General and take appropriate action.

7. Security Division Investigation.

- A. Authorization. A Security Division Investigation shall require written authorization from the Commissioner or designee.
- B. Preliminary Investigation. A Deputy Commissioner may request initiation of a Security Division Investigation. Continuation of the investigation shall require written authorization of the Commissioner within five (5) business days.
- C. Joint Law Enforcement Investigation. Requests for assistance in a joint law enforcement investigation from an outside law enforcement agency shall be forwarded to the Commissioner for action, through the Director of Security.
- D. Timeliness. An investigation shall be completed in a timely manner. A status report of all ongoing investigation shall be included in the monthly report in accordance with Administrative

Directive 1.6, Monthly and Annual Reports.

- E. Closure. A Security Division Investigation shall be closed only upon final review by the Commissioner.
8. Review Process. Upon completion of an Administrative Investigation conducted by the Security Division, a review shall be conducted to determine any appropriate employee discipline and/or system improvements.
- A. The complete investigation package shall be forwarded to the Director of Security who shall review and transmit the package to the Correctional Personnel Director to review, endorse and recommend appropriate disciplinary action. The package with recommendations shall then be transmitted to the Deputy Commissioner of Field and Security Operations. The Director of Security shall forward the package to the appropriate Complex Warden or Director for review. The package shall be transmitted to the appropriate Deputy Commissioner for review and to the Commissioner for review and approval of the appropriate action to be taken. The copy shall then be sent back to the Correctional Personnel Director who shall make arrangements for the Unit Administrator or designee to conduct a pre-discipline hearing, if warranted.
 - B. Pre-Disciplinary Hearing. The Unit Administrator or designee shall submit a Loudermill summary to the Complex Warden/Director.
 - C. Discipline Letter. If disciplinary action is approved, the entire package including the signed disciplinary routing slip, the investigation and the pre-disciplinary information shall be forwarded to the Correctional Personnel Director, who shall draft the discipline letter for the appropriate Unit Administrator signature. The discipline letter shall be issued by the Unit Head. The entire file shall be returned to the Director of Security.
 - D. System Improvement. At the discretion of the Commissioner, results of an Administrative Investigation shall be referred to an appropriate administrator(s) for implementation of system improvements based upon the recommendations made in accordance with Section 6(K) of this Directive.
9. Criminal Investigation. Any allegation which, if true, would constitute a criminal violation shall be immediately reported to the Connecticut State Police or other appropriate law enforcement authority. An Informal Review or Administrative Investigation shall continue unless the law enforcement agency requests the Department to delay or forego its investigation. Such a request shall be referred to the Commissioner for action. Department of Correction personnel shall fully cooperate with a criminal investigation and attempt to avoid interference.
10. Affirmative Action Investigation. Allegations of discrimination or sexual harassment shall be pursued through an Affirmative Action Investigation in accordance with Administrative Directives 2.1, Equal Employment Opportunity and Affirmative Action and 2.2, Sexual Harassment. Sexual harassment investigations shall be conducted jointly by an Affirmative Action Representative and Human Resources Representative.

11. Training. The Director of Security, in consultation with the Director of Training and Staff Development and the Correctional Personnel Director, shall approve a training curriculum, with lesson plans, for Department investigators. Each Investigator assigned to work with the Security Division shall complete an approved training program prior to conducting an investigation. The Director of Training and Staff Development shall provide training programs for Investigators on an annual basis.
12. Exceptions. Any exception to the procedures in this Administrative Directive shall require prior written approval from the Commissioner.